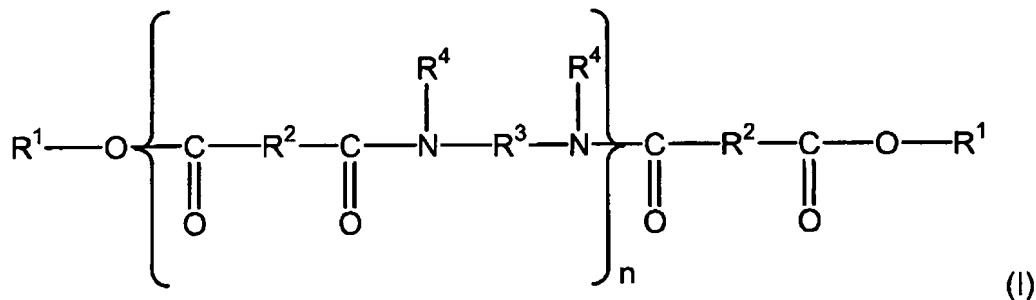


## **EXHIBIT 1**

Pending Claims  
Application No. 10/993,430  
Attorney Docket No. 05725.1003-01000  
Filed: November 22, 2004

1. A cosmetic composition comprising, in a physiologically acceptable medium, at least one first polymer of formula (I):



wherein:

n is an integer which represents the number of amide units such that the number of ester groups present in said at least one first polymer ranges from 10% to 50% of the total number of all said ester groups and all said amide groups comprised in said at least one first polymer;

R<sup>1</sup>, which are identical or different, are each chosen from alkyl groups comprising at least four carbon atoms and alkenyl groups comprising at least four carbon atoms;

R<sup>2</sup>, which are identical or different, are each chosen from C<sub>4</sub> to C<sub>42</sub> hydrocarbon-based groups with the proviso that at least 50% of R<sup>2</sup> are chosen from C<sub>30</sub> to C<sub>42</sub> hydrocarbon-based groups;

R<sup>3</sup>, which are identical or different, are each chosen from organic groups comprising at least two carbon atoms, hydrogen atoms, and optionally at least one entity chosen from oxygen and nitrogen atoms; and

$R^4$ , which are identical or different, are each chosen from hydrogen, C<sub>1</sub> to C<sub>10</sub> alkyl groups, and a direct bond to  $R^3$  or another  $R^4$ , such that the nitrogen atom to which  $R^3$  and  $R^4$  are both attached forms part of a heterocyclic structure defined by  $R^4-N-R^3$ , with the proviso that at least 50% of all  $R^4$  are chosen from hydrogen; and a dispersion of particles of at least one second polymer that is film-forming and insoluble in said medium.

2-56. (Cancelled)

57. The composition of claim 1, wherein the at least one first polymer has a weight-average molecular mass ranging from 1,000 to 100,000.

58. The composition of claim 57, wherein the at least one first polymer has a weight-average molecular mass ranging from 1,000 to 50,000.

59. The composition of claim 58, wherein the at least one first polymer has a weight-average molecular mass ranging from 1,000 to 30,000.

60. The composition of claim 1, wherein the at least one first polymer is chosen from ethylenediamine/stearyl dimer tallate copolymer and ethylenediamine/stearyl dimer dilinoleate copolymer.

61. The composition of claim 1, wherein the at least one first polymer is present in the composition in an amount ranging from 0.01% to 10% by weight, relative to the total weight of the composition.

62. The composition of claim 61, wherein the at least one first polymer is present in the composition in an amount ranging from 0.05% to 5% by weight, relative to the total weight of the composition.

63. The composition of claim 62, wherein the at least one first polymer is present in the composition in an amount ranging from 0.1% to 3% by weight, relative to the total weight of the composition.

64. The composition of claim 1, wherein the at least one second polymer is chosen from radical-mediated polymers, polycondensates, polymers of natural origin, and mixtures thereof.

65. The composition of claim 1, wherein the at least one second polymer is chosen from vinyl polymers, polyurethanes, polyesters, cellulose polymers, and mixtures thereof.

66. The composition of claim 1, further comprising an aqueous phase.

67. The composition of claim 66, wherein the aqueous phase comprises at least one water-soluble film-forming polymer.

68. The composition of claim 66, wherein the aqueous phase comprises water and, optionally, at least one water-miscible organic solvent.

69. The composition of claim 68, wherein water is present in the composition in an amount ranging from 5% to 90% by weight, relative to the total weight of the composition.

70. The composition of claim 68, wherein the at least one water-miscible organic solvent is chosen from lower monoalcohols comprising from 1 to 5 carbon atoms, glycols comprising from 2 to 8 carbon atoms, C<sub>3</sub>-C<sub>4</sub> ketones, and C<sub>2</sub>-C<sub>4</sub> aldehydes.

71. The composition of claim 68, wherein the at last one water-miscible organic solvent is chosen from ethanol, isopropanol, propylene glycol, ethylene glycol, 1,3-butylene glycol, and dipropylene glycol.

72. The composition of claim 1, wherein the at least one second polymer is present in the form of particles dispersed in an aqueous phase.

73. The composition of claim 1, further comprising a liquid fatty phase.

74. The composition of claim 73, wherein the liquid fatty phase comprises at least one oil chosen from mineral oils, animal oils, plant oils, synthetic oils, hydrocarbon-based oils, fluorinated and/or silicone-based oils, and mixtures thereof.

75. The composition of claim 73, wherein the liquid fatty phase comprises at least one oil that is volatile at room temperature.

76. The composition of claim 73, wherein the liquid fatty phase comprises a volatile oil chosen from hydrocarbon-based volatile oils comprising from 8 to 16 carbon atoms.

77. The composition of claim 75, wherein the volatile oil is present in the composition in an amount ranging from 0.1% to 98% by weight, relative to the total weight of the composition.

78. The composition of claim 77, wherein the volatile oil is present in the composition in an amount ranging from 1% to 65% by weight, relative to the total weight of the composition.

79. The composition of claim 73, wherein the liquid fatty phase is present in the composition in an amount ranging from 2% to 98% by weight, relative to the total weight of the composition.

80. The composition of claim 79, wherein the liquid fatty phase is present in the composition in an amount ranging from 5% to 85% by weight, relative to the total weight of the composition.

81. The composition of claim 1, wherein the at least one second polymer is present in the form of surface-stabilized particles dispersed in a liquid fatty phase.

82. The composition of claim 81, wherein the particles of the at least one second polymer are surface-stabilized with at least one stabilizer chosen from block polymers, grafted-block polymers, grafted polymers, random polymers, and blends thereof.

83. The composition of claim 82, wherein the stabilizer is chosen from grafted-block and block polymers, comprising at least one block resulting from the polymerization of ethylenic monomers comprising at least one optionally conjugated ethylenic bond, and at least one block of a styrene polymer.

84. The composition of claim 1, wherein the at least one second polymer is present in the composition in an amount ranging from 0.1% to 60% by weight, relative to the total weight of the composition.

85. The composition of claim 84, wherein the at least one second polymer is present in the composition in an amount ranging from 10% to 45% by weight, relative to the total weight of the composition.

86. The composition of claim 1, wherein the size of the particles of the at least one second polymer ranges from 5 nm to 600 nm.

87. The composition of claim 86, wherein the size of the particles of the at least one second polymer ranges from 20 nm to 300 nm.

88. The composition of claim 1, further comprising at least one wax.

89. The composition of claim 88, wherein the at least one wax has a melting point ranging from 30°C to 120°C.

90. The composition of claim 88, wherein the at least one wax is chosen from beeswax, lanolin wax, Chinese insect waxes, rice wax, carnauba wax, candelilla wax, ouricury wax, cork fiber wax, sugar cane wax, Japan wax, sumach wax, montan wax, microcrystalline waxes, paraffin waxes, ozokerites, ceresin wax, lignite wax, polyethylene waxes, waxes obtained by Fisher-Tropsch synthesis, fatty acid esters of glycerides that are solid at 40°C, waxes obtained by catalytic hydrogenation of animal or plant oils containing linear or branched C<sub>8</sub>-C<sub>32</sub> fatty chains, silicone waxes, fluoro waxes, and mixtures thereof.

91. The composition of claim 88, wherein the at least one wax is present in the composition in an amount ranging from 0.1% to 50% by weight, relative to the total weight of the composition.

92. The composition of claim 91, wherein the at least one wax is present in the composition in an amount ranging from 0.5% to 30% by weight, relative to the total weight of the composition.

93. The composition of claim 92, wherein the at least one wax is present in the composition in an amount ranging from 1% to 20% by weight, relative to the total weight of the composition.

94. The composition of claim 1, further comprising at least one dyestuff.

95. The composition of claim 94, wherein the at least one dyestuff is chosen from pigments, nacres, liposoluble dyes, water-soluble dyes, and mixtures thereof.

96. The composition of claim 94, wherein the at least one dyestuff is present in the composition in an amount ranging from 0.01% to 50% by weight, relative to the total weight of the composition.

97. The composition of claim 96, wherein the at least one dyestuff is present in the composition in an amount ranging from 0.01% to 30% by weight, relative to the total weight of the composition.

98. The composition of claim 1, further comprising at least one additive chosen from antioxidants, fillers, preserving agents, fragrances, neutralizing agents, thickeners, cosmetic active agents, dermatological active agents, and mixtures thereof.

99. The composition of claim 1, wherein the composition is in a form chosen from mascaras, eyeliners, products for the eyebrows, products for the lips, face powders, eyeshadows, foundations, make-up products for the body, concealer products, nail varnishes, skincare products, and haircare products.

Pending Claims  
Application No. 10/466,166  
Attorney Docket No. 05725.1228-00000  
Filed: January 20, 2004

1. Composition comprising, in a physiologically acceptable medium containing a fatty phase:
  - (i) a first polymer with a weight-average molecular mass of less than 100 000, comprising a) a polymer skeleton with hydrocarbon-based repeating units containing at least one hetero atom, and optionally b) optionally functionalized pendent and/or terminal fatty chains containing from 6 to 120 carbon atoms, which are linked to these hydrocarbon-based units,
  - (ii) an anionic film-forming polymer, and
  - (iii) a cationic film-forming polymer,the said anionic and cationic film-forming polymers being different from the said first polymer.

2. (Cancelled)

3. Composition according to Claim 1, characterized in that the units containing a hetero atom of the first polymer are amide groups.

4-5. (Cancelled)

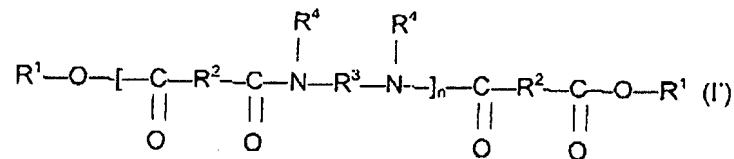
6. Composition according to Claim 1, characterized in that the pendent fatty chains of the first polymer are linked directly to at least one of the said hetero atoms.

7-11. (Cancelled)

12. (Currently amended) Composition according to Claim 1, characterized in that the terminal fatty chains of the first polymer are linked to the skeleton via ester groups.

13. (Currently amended) Composition according to Claim 1, characterized in that the fatty chains of the auxiliary polymer contain from 12 to 68 carbon atoms.

14. (Currently amended) Composition according to Claim 1, characterized in that the first polymer is chosen from the polymers of formula (I') below, and mixtures thereof:



in which

n denotes a number of amide units such that the number of ester groups represents from 10% to 50% of the total number of ester and amide groups;

$R^1$  is, independently in each case, an alkyl or alkenyl group containing at least 4 carbon atoms;

$R^2$  represents, independently in each case, a C<sub>4</sub> to C<sub>42</sub> hydrocarbon-based group, on condition that at least 50% of the groups  $R^2$  represent a C<sub>30</sub> to C<sub>42</sub> hydrocarbon-based group;

$R^3$  represents, independently in each case, an organic group containing at least 2 carbon atoms, hydrogen atoms and optionally one or more oxygen or nitrogen atoms; and

$R^4$  represents, independently in each case, a hydrogen atom, a C<sub>1</sub> to C<sub>10</sub> alkyl group or a direct bond to  $R^3$  or to another  $R^4$ , such that the nitrogen atom to which  $R^3$  and  $R^4$  are both attached forms part of a heterocyclic structure defined by  $R^4$ -N- $R^3$ , with at least 50% of the groups  $R^4$  representing a hydrogen atom.

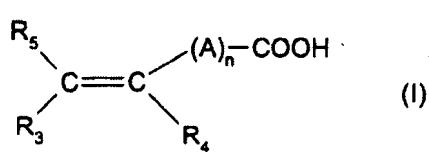
15. Composition according to Claim 14, characterized in that  $R^1$  is a C<sub>12</sub> to C<sub>22</sub> alkyl group.

16. Composition according to Claim 14, characterized in that the radicals  $R^2$  are groups containing from 30 to 42 carbon atoms.

17. Composition according to Claim 1, characterized in that the first polymer is present in a content ranging from 0.01% to 10% by weight relative to the total weight of the composition.

18. Composition according to Claim 1, characterized in that the anionic film-forming polymer is chosen from:

- polymers comprising carboxylic units derived from unsaturated monocarboxylic or dicarboxylic acid monomers of formula (I):



in which n is an integer from 0 to 10, A denotes a methylene group, optionally connected to the carbon atom of the unsaturated group or to the neighbouring methylene group when n is greater than 1 via a hetero atom such as oxygen or sulphur, R<sub>5</sub> denotes a hydrogen atom or a phenyl or benzyl group, R<sub>3</sub> denotes a hydrogen atom or a lower alkyl or carboxyl group, and R<sub>4</sub> denotes a hydrogen atom, a lower alkyl group or a -CH<sub>2</sub>-COOH, phenyl or benzyl group,

- polymers comprising units derived from sulphonic acid, such as vinylsulphonic, styrenesulphonic and acrylamidoalkylsulphonic units, and sulphonic polyesters, and
- mixtures thereof.

19. (Currently amended) Composition according to Claim 18, characterized in that the anionic film-forming polymer is chosen from:

- A) homo- or copolymers of acrylic or methacrylic acid or salts thereof, the sodium salts of copolymers of acrylic acid and of acrylamide, and the sodium salts of polyhydroxycarboxylic acids;

B) copolymers of acrylic or methacrylic acids with a monoethylenic monomer such as ethylene, styrene, vinyl esters and acrylic or methacrylic acid esters, optionally grafted onto a polyalkylene glycol such as polyethylene glycol; copolymers of this type comprising in their chain an optionally N-alkylated and/or hydroxyalkylated acrylamide unit, copolymers of acrylic acid and of C<sub>1</sub>-C<sub>4</sub> alkyl methacrylate and terpolymers of vinylpyrrolidone, of acrylic acid and of C<sub>1</sub>-C<sub>20</sub> alkyl methacrylate;

C) copolymers derived from crotonic acid, such as those whose chain comprises vinyl acetate or propionate units and optionally other monomers such as allylic or methallylic esters, vinyl ether or vinyl ester of a saturated, linear or branched carboxylic acid containing a long hydrocarbon-based chain such as those comprising at least 5 carbon atoms, it being possible for these polymers to be optionally grafted;

D) polymers derived from maleic, fumaric or itaconic acids or anhydrides with vinyl esters, vinyl ethers, vinyl halides, phenylvinyl derivatives, acrylic acid and esters thereof; copolymers of maleic, citraconic or itaconic anhydrides and of an allylic or methallylic ester optionally comprising an acrylamide, methacrylamide,  $\alpha$ -olefin, acrylic or methacrylic ester, acrylic or methacrylic acid or vinylpyrrolidone group in their chain, the anhydride functions are monoesterified or monoamidated;

E) polyacrylamides comprising carboxylate groups,

F) deoxyribonucleic acid;

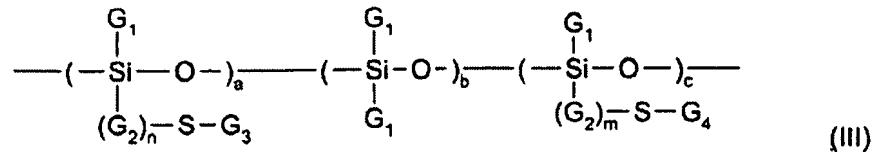
G) copolymers of at least one dicarboxylic acid, of at least one diol and of at least one difunctional aromatic monomer bearing a group  $-\text{SO}_3\text{M}$  with M representing a hydrogen atom, an ammonium ion NH<sub>4</sub><sup>+</sup> or a metal ion;

- and mixtures thereof.

20. (Cancelled)

21. Composition according to Claim 1, characterized in that the anionic film-forming polymer is chosen from anionic polymers of grafted silicone type comprising a polysiloxane portion and a portion consisting of a non-silicone organic chain, one of the two portions constituting the main chain of the polymer, the other being grafted onto the said main chain.

22. Composition according to Claim 21, characterized in that the grafted silicone polymer is chosen from silicone polymers whose structure comprises the unit of formula (III) below:



in which the radicals  $G_1$ , which may be identical or different, represent hydrogen or a  $C_1-C_{10}$  alkyl radical or alternatively a phenyl radical; the radicals  $G_2$ , which may be identical or different, represent a  $C_1-C_{10}$  alkylene group;  $G_3$  represents a polymer residue resulting from the (homo)polymerization of at least one ethylenically unsaturated anionic monomer;  $G_4$  represents a polymer residue resulting from the (homo)polymerization of at least one ethylenically unsaturated hydrophobic monomer;  $m$  and  $n$  are equal to 0 or 1;  $a$  is an integer ranging from 0 to 50;  $b$  is an integer which

can be between 10 and 350, c is an integer ranging from 0 to 50; with the proviso that one of the parameters a and c is other than 0.

23-24. (Cancelled)

25. (Currently amended) Composition according to Claim 1, characterized in that the cationic film-forming polymer is chosen from quaternary cellulose ether derivatives, copolymers of cellulose with a water-soluble quaternary ammonium monomer, cyclopolymers, cationic polysaccharides, cationic silicone polymers, quaternized or non-quaternized vinylpyrrolidone-dialkylaminoalkyl acrylate or methacrylate copolymers, quaternary polymers of vinylpyrrolidone and of vinylimidazole, and polyaminoamides, and mixtures thereof.

26. (Currently amended) Composition according to Claim 1, characterized in that the anionic film-forming polymer is a poly(sodium methacrylate).

27. (Currently amended) Composition according to Claim 1, characterized in that the cationic film-forming polymer is a hydroxy(C<sub>1</sub>-C<sub>4</sub>)alkylcellulose comprising quaternary ammonium groups.

28. Composition according to Claim 1, characterized in that the cationic film-forming polymer is present in a content ranging from 0.01% to 20% by weight relative to the total weight of the composition.

29. Composition according to Claim 1, characterized in that the anionic film-forming polymer is present in a content ranging from 0.01% to 20% by weight relative to the total weight of the composition.

30. Composition according to Claim 1, characterized in that it also comprises a wax.

31-32. (Cancelled)

33. Composition according to Claim 1, characterized in that the fatty phase comprises at least one oil chosen from the group formed by hydrocarbon-based oils, fluoro oils and/or silicone oils of mineral, animal, plant or synthetic origin, alone or as a mixture.

34. Composition according to Claim 1, characterized in that the fatty phase comprises at least one volatile oil.

35-36. (Cancelled)

37. Composition according to Claim 1, characterized in that the composition comprises an aqueous phase containing water or a mixture of water and of water-miscible organic solvent.

38. Composition according to Claim 1, characterized in that the composition contains at least one dyestuff.

39-40. (Cancelled)

41. Composition according to Claim 1, characterized in that the composition contains at least one additive chosen from surfactants, thickeners, antioxidants, fillers, preserving agents, fragrances, neutralizers and cosmetic or dermatological active agents, and mixtures thereof.

42. Composition according to Claim 1, characterized in that the composition is in the form of a mascara, a product for the eyebrows or a product for the hair.

43-52. (Cancelled)

53. Use of the combination of:

- (i) a first polyamide polymer with a weight-average molecular mass of less than 100 000, comprising a) a polymer skeleton with amide repeating units and b) optionally at least one optionally functionalized pendent fatty chain and/or at least one optionally functionalized terminal chain, containing from 6 to 120 carbon atoms, which are linked to these amide units,

- (ii) an anionic film-forming polymer, and

- (iii) a cationic film-forming polymer,  
the said anionic and cationic film-forming polymers being different from the said first polymer,  
to obtain a deposit that adheres to the keratin materials and/or a fast makeup result on keratin materials and/or to thicken the eyelashes.

54-86. (Cancelled)

87. Cosmetic process for increasing the adhesion and/or the rapid loading of a cosmetic makeup composition, which consists of introducing into the said composition containing a fatty phase:

- (i) a first polymer with a weight-average molecular mass of less than 100 000, comprising a) a polymer skeleton with hydrocarbon-based repeating units containing at least one hetero atom, and optionally b) optionally functionalized pendent and/or terminal fatty chains containing from 6 to 120 carbon atoms, which are linked to these hydrocarbon-based units,  
- (ii) an anionic film-forming polymer, and  
- (iii) a cationic film-forming polymer,  
the said anionic and cationic film-forming polymers being different from the said first polymer.

88-128. (Cancelled)

129. Composition according to Claim 14, characterized in that n is an integer ranging from 1 to 5.

130. Composition according to Claim 14, characterized in that R<sup>3</sup> is a C<sub>2</sub> to C<sub>36</sub> hydrocarbon-based group or a polyoxyalkylene group.

131. Composition according to Claim 14, characterized in that R<sup>4</sup> is a hydrogen atom.

132. Composition according to Claim 1, characterized in that the composition is a make-up.

133. Composition according to Claim 1, characterized in that the first polymer is a polyamide.

134. Composition according to Claim 1, characterized in that the first polymer is chosen from ethylenediamine/stearyl dimer tallate copolymer.

135. Composition according to Claim 1, characterized in that the first polymer is chosen from ethylenediamine/stearyl dimer dilinoleate copolymer.